

IN THE CIRCUIT COURT FOR THE 22<sup>ND</sup> JUDICIAL CIRCUIT  
MCHENRY COUNTY, ILLINOIS

STANDING ORDER FOR CASES ASSIGNED TO  
HON. SUZANNE C. MANGIAMELE  
(Courtroom 358)

COPY

FILED

MAR 29 2019

KATHERINE M. KEEFE  
MCHENRY CTY. CIR. CLK.

1. The purpose of this Standing Order is to provide guidelines to assist attorneys and litigants who appear in Courtroom 358 and to promote consistent, efficient treatment in every case. This Order applies to all cases assigned to Courtroom 358. Any attorney appearing before the Judge in Courtroom 358 is required to know the relevant details of the case. Self-represented litigants [a party appearing without counsel] are required to comply with the Court's rules and procedures, with the Illinois Code of Civil Procedure, the Supreme Court Rules, and with the relevant case law decision. Self-represented litigants are held to the same standard as a licensed attorney.

**PROFESSIONALISM AND CIVILITY**

Parties and the attorneys who represent them are reminded to engage in professionalism and civility in the handling of cases which come before the Court. Parties and the attorneys who represent them should be mindful that they are in a courtroom; and when Court is in session should keep conversation to a minimum. Discussions should be held outside of the courtroom. While Court is in session, the Court may address self-represented litigants concerning mortgage foreclosure and the courtroom. During this address to the public, attorneys and litigants should be seated and movement within the courtroom limited. Attorneys and self-represented litigants shall not walk through the portion of the courtroom between counsel's table, the jury box, and the bench. No one should approach the Clerk or provide any orders to the Clerk while the Court is addressing the self-represented litigants as a whole. Attorneys and litigants that enter the courtroom during the Court's address to self-represented litigants shall either find a nearby seat in the gallery, if they are a self-represented litigant, or in the jury box, if they are an attorney, until the Court completes the speech to the self-represented litigants.

To the extent possible, attorneys should confer with each other on pending matters *prior* to each appearance in open court. Attorneys are encouraged to exchange documents filed with the court with each other in a timely fashion. Each time a case is called in open court, the Court will endeavor to engage in a meaningful court appearance for parties with a desire to move matters along efficiently and effectively.

2. Courtroom 358 is assigned the **Civil III Court Call**. The cases for the Civil III court call generally include all mortgage foreclosure **Chancery (CH)** cases .
3. **Court Schedule: Monday – Friday**

TIME	ACTIVITY
9:00 a.m.*	Contested motion hearings; emergency motions; post-judgment matters including returns on citations, rules to show cause, body attachments, garnishments, and wage deductions; and other matters as set by the Court.
10:00 a.m.**	CH (foreclosures); status hearings, motions being presented and uncontested motions; case management hearings; set matters as assigned.



10:30 a.m. Matters on the 10:00 a.m. call in which CourtCall is utilized, unless otherwise scheduled by the Court.

1:30 p.m. Matters specifically set by the Court.

\*Following the 9:00 a.m. call, and time permitting, the Court may entertain matters on the 10:00 a.m. call that include agreed orders (signed by all parties) or matters in which all parties are present.

\*\*The Court's schedule for the 10:00 a.m. call generally proceeds as follows:

First, the Court will call those matters in which an attorney has five cases or less.

Second, the Court may address the self-represented litigants concerning mortgage foreclosure and the courtroom.

Third, the Court will call those matters with self-represented litigants who have checked in.

Fourth, the Court will call those matters in which an attorney has six or more cases.

#### **4. Scheduling:**

Upon filing, each case has a Conference Scheduling or Case Management date placed on the front of the complaint. This date is the first court date for the case unless the matter is otherwise placed on the Court's calendar. All cases shall continue to have a case management date until the matter is dismissed or entry of a Judgment for Foreclosure is entered. Subsequent to the entry of a judgment for foreclosure, the Clerk of the Circuit Court assigns an internal case management date for status of a final order. The parties may set a case management date of their own at the time of entry of a Judgment for Foreclosure.

To place a matter on the Court's calendar before or after the initial scheduling conference, a party may call the Clerk of the Circuit Court, Civil Division, at 815/334-4310, to schedule the matter or may ask the Court for a court date when present in court on the case. Once a party/parties has obtained a court date, the party can send out and file notice and the motion/petition. Additional motions can be added to the same court date by calling the Clerk's Office and requesting it be added to that calendar date. PARTIES ARE ADVISED THAT THE CLERK WILL NOT SCHEDULE MATTERS ON THE 9:00 A.M. CALL, **UNLESS** THE MATTER IS AN EMERGENCY MOTION OR THE CASE IS A POST-JUDGMENT COLLECTION MATTER, AND WILL NOT SCHEDULE MATTERS ON A FRIDAY OR AT 1:30 P.M., **UNLESS** PREVIOUSLY SET BY THE COURT. MATTERS SET ON THE 9:00 A.M. CALL, 1:30 P.M. CALL, AND ON FRIDAY ARE SPECIFICALLY SET BY THE COURT.

#### **5. Electronic Documents:**

A. Electronic document filing is required in all civil matters. Additional information and assistance can be obtained through the Circuit Clerk's Office. Anyone filing an electronic document that requires an original signature certifies by so filing that the original, signed document exists in the filing person's possession. For any court appearance in which a party is seeking dispositive action(s), the party/parties shall provide to the Court any necessary documents bearing original signatures for review by the Court, if requested by the Court. Failure to provide original documents for review may lead to a continuance of the hearing until such time that the original documents can be produced. Any document reviewed by the Court shall be returned to the party at the conclusion of the hearing. Unless otherwise ordered by the

Court, the filing party shall maintain and preserve all documents containing original signatures that are filed electronically for a minimum of one year after the appellate process period has been completed.

- B. Each complaint, motion, petition, notice of motion with proof of service, notice of filing, affidavit, including but not limited to affidavit of amounts due and owing, military affidavit, attorney's fees affidavit, affidavit in support of motion, and loss mitigation affidavit, certificate/statement of service, summons with proof of service or non-service attached, certificate of publication with publication, notice of default, certificate of sale, receipt of sale, report of sale, certificate of publication for sale, notice of sale, broker's price opinion, or appraisal should be filed separately electronically. FAILURE TO DO SO may result in the Court requesting documents filed as a separate document.
- C. To ensure a clean electronic record and to aid the Court in the review of the electronic record, to the extent possible, pleadings and other matters to be filed with the Clerk of the Circuit Court with regard to a case, should be filed at least seven (7) days prior to the presentation of any such item in open court, so as to afford the Court sufficient opportunity to review the same.

## 6. Motions:

All motions, notices of motion, and other pleadings must comply with Local Rules 2.01, 2.02, 2.04, 2.05 and applicable Administrative Orders and/or State of Illinois Statutes.

Parties may wish to review the Local Rules as the Local Rules limit the number of pages for motions, without prior approval of the Court to: 15 pages for motions; 15 pages for responses; and 5 pages for replies (2.01(g), 2.02(e); 2.04(a) and (b)). Each motion, contested or not, is required to provide the Supreme Court Rule, Code of Civil Procedure section, or other statutory section on which it is based (2.01(d)).

- A. **Contested Motion Hearings** are set at 9:00 a.m. or 1:30 p.m., depending on the nature of the hearing and the Court's schedule. The moving party shall provide the Court with courtesy copies of all briefs related to the motion no later than seven (7) days prior to the scheduled hearing date.

- B. **Motions for Summary Judgment**

All motions and notices filed in a summary judgment proceeding shall be filed separately and appropriately labeled. This includes, but is not limited to any notice of motion, motion for summary judgment, 2.04 statement of fact, motion to appoint selling officer, motion for default, supporting affidavits, motion for judgment of foreclosure. All motions for summary judgment shall be supported by a Local Rule 2.04 Statement of Fact, as provided in McHenry County Circuit Court Rule 2.04.

- C. **Emergency Motions**

"True" motions involving emergency matters are held on the Court's 9:00 a.m. call. Self-represented parties and counsel of record shall make a reasonable effort to notify the opposing party of the presentation and hearing of the emergency matter. If possible, courtesy copies should be provided to the Court prior to the presentation of the matter. If the emergency matter



has not been placed on the call sheet, counsel or the self-represented party shall plan on arriving at least 15 minutes before court and informing the clerk or court security officer in the courtroom of the motion.

#### **D. Courtesy Copies**

This Court requires courtesy copies only for contested matters (i.e., matters on the 9:00 a.m. call or as specially set as a contested matter by the Court). The courtesy copy shall be provided by the movant or petitioner to the Court at least seven (7) days prior to the hearing. The courtesy copy should, at a minimum, include the motion or petition and any responses and replies. Any courtesy copy should be accompanied by a cover letter which references the names of the parties, the number of the case, and the date and time of presentation. Copies of such letters shall be provided to all other parties of record (those parties who have an appearance on file) along with any served party who has not been found in default, through means which will place the letter and courtesy copies in the possession of each at or about the same time the Court receives the same.

**DO NOT** send courtesy copies to the Circuit Clerk's Office.  
Courtesy copies should be addressed to:

Court Administration; Room 355  
Honorable Judge Suzanne C. Mangiamele  
McHenry County Government Center  
2200 N. Seminary Avenue  
Woodstock, IL 60098

#### **7. Pretrial Conferences:**

Pretrial conferences are generally set at 9:00 a.m. or 1:30 p.m. depending on the nature of the case and the Court's schedule. The purpose of said hearing will be to narrow issues and discuss settlement. Parties are directed to either have their clients in attendance or available by phone. The parties shall provide the Court with courtesy copies of their pretrial memorandums no later than seven (7) days prior to the scheduled pretrial date. Attorneys for the litigants shall be present. The parties or person(s) with complete settlement authority shall be present, or at a minimum, available by phone. Attorneys are strongly encouraged to have their clients personally present.

#### **8. Trial Conferences:**

Trial conferences are set at 9:00 a.m. or 1:30 p.m., depending on the nature of the case and the Court's schedule. At least seven (7) days prior to the scheduled trial conference, the attorneys for the parties shall provide the Court and shall have exchanged copies of the following:

- 1) Statement of the case;
- 2) Witness list;
- 3) Motions *in limine*; and
- 4) Proposed exhibits list.

Prior to the trial conference, the trial attorneys shall engage in a conference for the purpose of narrowing the issues regarding motions *in limine*, jury instructions, and exhibits.

## 9. Telephone/Video Appearance via CourtCall

All Civil Division courtrooms are equipped to provide access for telephone courtroom appearance. Only counsel of record and self-represented litigants may appear by telephone conference unless otherwise ordered by the Court. Existing rules and procedures regarding the making of the record shall apply to proceedings at which telephone appearances are made. Except as provided through specific approval of Court, no remote appearance will be allowed unless it is made through CourtCall, an independent audio and video conference servicing company. Under no circumstance shall the Court bear any cost for any such telephone appearance.

Appearances utilizing CourtCall must be arranged by contacting CourtCall [phone number: 888/882-6878] or on-line [www.courtcall.com] no later than 4:00 p.m. (Woodstock, Illinois time) on the second court day preceding the court date. Persons electing to make a telephone/video appearance shall provide notice to all parties of same at least 24 hours prior to the appearance.

Courtroom 358 limits the utilization of CourtCall to status dates, setting briefing schedules, and the entry of previously submitted proposed agreed orders; and is NOT permitted for argument on contested or briefed motions, entry of judgment of foreclosures, hearings, settlement conferences, pre-trial conferences, trial conferences, trials, or approval of sale. The Court reserves the right and sole discretion to extend the utilization of CourtCall or to deny or suspend any person's ability to appear through CourtCall.

All Courtroom 358 matters in which a CourtCall appearance is involved are heard at 10:30 a.m. regardless of the time the matter was originally scheduled to be heard, unless otherwise ordered or scheduled by the Court. It is the responsibility of the party appearing via CourtCall to dial into the system no later than five (5) minutes prior to the scheduled time, to check in with the CourtCall operator, and remain on the line until the case is called by the Court. To ensure the quality of the record, the use of cellular phones, speakerphones, or phones in public places is discouraged and may be prohibited. No recording of court proceedings may be made by any person or by any means outside the official court record.

Persons appearing telephonically shall state their name each time for the record when they speak and shall participate in the appearance with the same degree of courtesy and courtroom etiquette as is required for a personal appearance.

Additional information is provided in Administrative Order No. 2015-11.

## 10. Orders

- A. Orders entered in the courtroom: Orders presented to the Court in the courtroom shall have the line number of the case on the Court's call placed at the top right-hand corner of the first page.
- B. Proposed orders ~ Please follow these guidelines for submission of proposed orders:

Email to [proposedorders@22ndcircuit.illinoiscourts.gov](mailto:proposedorders@22ndcircuit.illinoiscourts.gov)

This email is only for proposed orders in civil matters that do not require a court appearance (for example, an order of dismissal in a case in which no judgment of



foreclosure has entered and there are no appearances or counterclaims on file, and a motion to dismiss has been filed). The email is not to be used for courtesy copies. Any documents to be filed must be handled through E-Filing with the Circuit Clerk's Office. Information regarding E-Filing can be found on the McHenry County Circuit Clerk's webpage.

The email subject line must include Case No. and assigned Judge's name.

All parties to the case must be copied.

Proposed orders should be submitted no less than one week before the next court date.

The proposed order must follow any guidelines that the judge usually requires [i.e. what kinds of orders are accepted; litigant/attorney signatures, etc.].

If the proposed order is being submitted as a result of a telephonic appearance via CourtCall or at the direction of the judge, please submit the proposed order within 24 hours of that appearance and reference same in your cover email.

The proposed order must comply with Local Court Rules and Supreme Court Rules.

Your cover email must not include any communication which could be interpreted as an *ex parte* communication.

You will need to check the case online via the Attorney Portal to see if the proposed Order has been signed by the Judge and filed. We generally do not email filed orders back.

The Civil Case Manager will try to advise you if a proposed Order has been rejected or modified significantly by the judge. You may want to subscribe to the "Attorney Notification Service" through the Circuit Clerk's Office, which will email you when something has been filed in one of your cases and link you to the document.

## **11. Interpreters**

An LEP [limited English proficient individual] may request an interpreter, whether through counsel or *pro se*, to provide language assistance. The Judge may also determine that an interpreter is appropriate for a certain proceeding and may offer to provide one. If a Spanish-speaking interpreter is needed for any proceedings that will be lengthy, a Request for Interpreter form must be submitted seven days prior to that court date. For other languages a minimum of 21 days is suggested.

## 12. Appearance of Parties

All parties are expected to appear for status hearings, live or via CourtCall. In those cases where a party is unable to appear, it is expected that an agreement will be reached with opposing counsel as to what information will be presented to the Court.

## 13. Court Reporter/Audio Record/Ordering Transcripts

Orders for transcripts of proceedings / ER transcripts for Civil cases should be requested through Bridget Diedrich, Administrative Assistant to the Chief Judge and Supervisor of the Official Court Reporters for the 22<sup>ND</sup> Judicial Circuit or, in her absence, through the Court Administration Office, Room 355. The requestor should have the case name and number and the date of the proceedings to be transcribed. Contact information will be provided to the requestor regarding the name and direct telephone number of the Court Reporter responsible for preparation of said transcript. It is the requestor's responsibility to contact the Court Report to request the transcript preparation and to arrange payment for same.

## 14. Questions on Scheduling or submissions to the Court

Questions on scheduling or submissions to the Court may be directed to the Senior Case Manager in the Office of the Trial Court Administrator, at telephone number 815.334.2799.

DATED: \_\_\_\_\_

3-27-19

  
SUZANNE C. MANGIAMELE  
Associate Judge